IN THE UNITED STATES DISTRICT COURT FOR THE

DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

CASE NO: 98-304-3 DRD

HEARING REQUESTED

VS.

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U.S. DISTRICT COURT
SAN JUAN, P.R.

JERRY WARD O'NEILL, et-al

Defendants

______________________________/

MOTION FOR STATUS OF MOTION FOR NEW TRIAL UPON

NEWLY DISCOVERED EVIDENCE UNDER F.R. Cr. P. RULE 33

NOW COMES, JERRY WARD O'NEILL, et-al, Defendants, Pro Se in the above captioned matter, requesting the status of their Motion For a New Trial Upon Newly Discovered Evidence, Pursuant to Rule 33 of the Federal Rules and Criminal Procedures.

In September 2001, defendants filed a Motion for a New Trial based on Newly Discovered Evidence. This Motion was docketed on defendant's Court docket as received by the Court.

However as of March 27, 2005, the Court has yet to rule on this Motion. In light of the fact that the defendant filed this motion over three and a half years ago and the Court has failed to rule on it, and the fact that the defendants have been sitting in Prison this entire time, defendant is requesting an Emergency Hearing on this matter.

WHEREFORE, JERRY WARD O'NEILL, et-al, the defendants Prays that this Honorable Court will grant this Motion and schedule an Emergency Hearing as soon as possible so that a determination can be made in granting a New Trial based on Newly Discovered Evidence.

Respectfully Submitted,

Jerry Ward O'Neill
Reg # 16895-069
Federal Correctional Complex
Coleman Low
P.O. Box 1031
Coleman, Florida 33521-1031

Larry Ward Bryan
Reg # 16890-069
Federal Correctional Complex
Coleman Low
P.O. Box 1031
Coleman, Florida 33521-1031

Geronimo Ampara
Reg # 16895-069
Federal Correctional Complex
Coleman Low
P.O. Box 1031
Coleman, Florida 33521-1031

Raul Salazar-Uriana
Reg # 16892-069
Federal Correctional Complex
Coleman Low
P.O. Box 1031
Coleman, Florida 33521-1031

CERTIFICATE OF SERVICE

The defendants herein affirm that the contents of this Motion are true and correct and that copies were sent postage pre-paid to: Clerk of the Court, United States District Court, District of Puerto Rico, Room 150, 150 Carlos Chardon Avenue, Hato Rey, PR 00918 and United States Attorney's Office, Suite 1201, 350 Carlos Chardon Avenue, Hato Rey, PR 00918 via U.S. Mail this ____ day of March 2005 by way of the Prison Legal Mail Box.

Jerry Ward O'Neill

Larry Ward Bryan

Geronimo Amparo

Geronimo Ampara

Raul Salazar U.

Raul Salazar-Uriana